

# **EXHIBIT F**

# SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: HON. BARBARA JAFFE PART IAS MOTION 12EFM

*Justice*

-----X

ORLY GENDER, ORLY GENDER 1993 TRUST,

Plaintiffs,

- v -

INDEX NO. 109749/2009

MOTION DATE \_\_\_\_\_

MOTION SEQ. NO. 065

DALIA GENDER, SAGI GENDER, D & K GP LLC,  
TPR INVESTMENT ASSOCIATES INC, LEAH  
FANG,

Defendants.

-----X

## DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 065) 1637-1648  
were read on this motion to \_\_\_\_\_ restore \_\_\_\_\_.

Having read the papers in support of plaintiffs' order to show cause and defense counsel's email of October 4, 2019, I find that because the damages assertedly arising from Dalia's alleged fraud are those that have been adjudicated (NYSCEF 1594, 1630), the action was properly marked disposed, per order dated August 9, 2019. Moreover, plaintiffs' counsel represents that the fraud claim is the sole claim outstanding. (NYSCEF 1646). Consequently, there is nothing left to restore.

Accordingly, it is hereby

ORDERED, that plaintiffs' motion to restore the action is denied in its entirety.

20191004104810B/AFFEC310AFCD6D2F4BC3A9A3B0DD7FF7FCFA

10/4/2019

DATE

CHECK ONE:

☒

CASE DISPOSED

☒

GRANTED

☐

DENIED

APPLICATION:

☐

SETTLE ORDER

CHECK IF APPROPRIATE:

☐

INCLUDES TRANSFER/REASSIGN

☒

NON-FINAL DISPOSITION

☐

GRANTED IN PART

☐

OTHER

☐

SUBMIT ORDER

☐

FIDUCIARY APPOINTMENT

☐

REFERENCE

BARBARA JAFFE, J.S.C.